

Serial No. 10/763,994

REQUEST FOR RECONSIDERATION**UTILITY PATENT****B&D No. JK01244**

hereby attaches a Statement of Common Ownership to disqualify Behne as prior art under the present rejection. Accordingly, the Examiner cannot rely on Behne for the present rejection.

Furthermore, as admitted by the Examiner, Gochnauer does not teach that the kerf intrusion device include "a first anti-kickback pawl coupled to the body" as called for in Claims 1 and 9. The Examiner relies on Berkeley to provide such missing element. Assuming for the sake of argument that the Berkeley device is an anti-kickback pawl, Berkeley is silent as to the position of such anti-kickback device relative to a side pressure splitter.

By contradistinction, independent Claims 1 and 9 require that the "side pressure splitter [be] disposed on the body below the first pawl." Even if Gochnauer were combined with Berkeley, such claimed arrangement would not necessarily be obtained as no suggestion or motivation exists to align the first pawl with the side pressure splitter. Therefore the Gochnauer/Berkeley combination does not teach or suggest all the elements of Claims 1 and 9 and their respective dependent claims.

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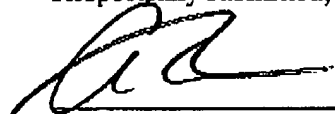
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In view of the foregoing, all the claims are patentable and the application is believed to be in condition for formal allowance. Reconsideration of the application and allowance of Claims 1-15 are respectfully requested.

No fee is believed due. Nonetheless, the Commissioner is authorized to charge payment of any fees due in processing this response, or credit any overpayment to Deposit Account No. 02-2548.

Respectfully submitted,



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